

INVENTION REPORTING AND RIGHTS – FOREIGN

[CT, FP – R&D, LH/T&M, CREI] [NFS 1852.227-85 – 04/86]

- (a) As used in this Article, the term "invention" means any invention, discovery, or improvement, and "made" means the conception or first actual demonstration that the invention is useful and operable.
- (b) The Subcontractor shall report promptly to the Contracting Officer each invention made in the performance of work under this Subcontract. The report of each such invention shall:
 - (1) Identify the inventor(s) by full name; and
 - (2) Include such full and complete technical information concerning the invention as is necessary to enable an understanding of the nature and operation thereof.
- (c) The Subcontractor hereby grants to the Government of the United States of America as represented by the Administrator of NASA the full right, title and interest in and to each such invention throughout the world, except for the State in which this Subcontract is to be performed. As to such State, Subcontractor hereby grants to the Government of the United States of America as represented by the Administrator of NASA and, in support and furtherance of its Government Subcontract obligations, the Institute, only an irrevocable, nontransferable, nonexclusive, royalty-free license to practice each such invention by or on behalf of the United States of America or any foreign government pursuant to any treaty or agreement with the United States of America, provided that Subcontractor within a reasonable time files a patent application in that State for each such invention. Where Subcontractor does not elect to file such patent application for any such invention in that State, full right, title and interest in and to such invention in that State shall reside in the Government of the United States of America as represented by the Administrator of NASA.
- (d) The Subcontractor agrees to execute or to secure the execution of such legal instruments as may be necessary to confirm and to protect the rights granted by paragraph (c) above, including papers incident to the filing and prosecution of patent applications.
- (e) Upon completion of the Subcontract work, and prior to final payment, Subcontractor shall submit to the Contracting Officer a final report listing all inventions reportable under this Subcontract or certifying that no such inventions have been made.
- (f) In each First-tier Subcontract the Subcontractor awards under this Subcontract where the performance of research, experimental design, engineering, or developmental work is contemplated, the Subcontractor shall include this Article and the name and address of the Contracting Officer.